

## REMARKS

Claims 1-24, 29 and 30 are now in the application. Claim 15 has been amended to include recitations from claims 25 and 28. Accordingly, Claims 25 and 28 have been cancelled without prejudice or disclaimer. Claims 21 and 30 have been amended to recite “product” for purposes of clarification and not to limit their scope. Claim 29 has been amended to depend from claim 15 in view of the cancellation of claim 25. Claims 15, 16, 21-24, 29 and 30 are directed to the elected invention. Claims 1-14 and 17-20 are drawn to non-elected invention and may be canceled by the examiner upon the allowance of the claims directed to the elected invention. The amendments to the claims do not introduce any new matter and do not introduce any new issues since the recitations added to claim 15 were already present in claims 25 and 28. As a minimum, the amendments to the claims reduce the issues for Appeal.

As a preliminary matter, it is requested that the examiner acknowledge receipt and review of the Information Disclosure Statement filed on November 25, 2009.

The rejection of Claims 15, 21-22 and 30 under 35 USC 101 as reading on the natural process of raising pork has been overcome by the above amendments to the claims. In particular, Claim 15 has been amended by incorporating previously presented claims 25 and 28, which were not rejected on this ground.

The rejection of Claims 15, 16, 21 and 22 under 35 USC 103 (a) as being obvious over US patent 6,441,050 to Chopra has been overcome by the above amendments to the claims. In particular, Claim 15 has been amended by incorporating previously presented claims 25 and 28, which were not rejected on this ground.

Claims 15, 23-25 and 28-30 were rejected under 35 USC 102 (e) as being anticipated by US patent 6,441,050 to Chopra. Chopra does not anticipate Claims 15, 23, 24, 29 and 30 as now amended.

Chopra is directed to an orally palatable liquid composition comprising ubiquinol, a polysorbate surfactant and triglyceride. Chopra suggests adding ubiquinol to a mixture of phospholipid, triglycerides and a polysorbate surfactant at an elevated temperature and stirring the mixture (please see col. 9, lines 45 to 55).

However, Chopra neither teaches nor suggests solidifying nor plasticizing the mixture. Chopra suggests a composition in a liquid form. A solidified or plasticized composition is not obvious from the liquid form composition of Chopra.

According to the present invention, on the other hand, it is possible to produce a ubiquinol-enriched oil/fat-containing food product even when ubiquinol is added over its solubility limit in the oil/fat. A homogeneous oil/fat composition can be obtained by dissolving ubiquinol in the oil/fat under heating, cooling the obtained solution for solidification or kneading it for plasticization (please see page 23, line 25 to page 24, line 5).

Further, Chopra does not teach that the liquid form composition is homogeneous. Chopra even state that the ubiquinol and reducing agent are at least partially solubilized into the liquid (please see col. 8, lines 33 to 34).

Claim 22 recites that the content of ubiquinone and ubiquinol in total is 0.0001 to 50% by weight of the ubiquinol-enriched oil/fat-containing food product when the content of both ubiquinol and ubiquinone is calculated as ubiquinone (please see page 10, lines 23 to 32 in the specification). Therefore, even if ubiquinone is converted to ubiquinol, the content does not change.

When an ordinary food that is ingested on a daily basis is enriched with ubiquinol, it is required that ubiquinol is uniformly dispersed in the food so that the food does not give consumers uncomfortable feelings in terms of appearance, flavor, and texture. The present invention is distinguishable from Chopra since it provides a homogeneous oil/fat composition. This feature is not obvious from Chopra.

Therefore the present invention according to claim 15 is neither anticipated by nor obvious over Chopra. The same is true with the other claims dependent upon claim 15.

In view of the above, consideration and allowance are respectfully solicited.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees to Deposit Account No. 22-0185, under Order No. 21581-00500-US from which the undersigned is authorized to draw.

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Respectfully submitted,

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